

REMARKS

In the Office Action, the Examiner allowed claims 8-25, objected to claims 40 and 41, and rejected claims 1-4, 7, 26-39, and 42-44. In addition, the Examiner indicated that claims 40 and 41 would be allowable if rewritten in independent form. On a preliminary note, the Applicant points out that claims 30 and 31 depend from allowed claim 19, claim 39 depends from allowed claim 15, and claims 28 and 29 are only subject to a rejection under 35 U.S.C. § 101. By this Response, the Applicant hereby amends claims 1, 26, 28, 29, 32, and 35, cancels claims 27 and 41, and adds new claim 45 to expedite allowance of the present application. These amendments and new claims do not add any new matter. Specifically, the Applicant hereby amends independent claim 1 to incorporate the allowable dependent claim 41, and rewrites allowable dependent claim 40 into independent form as new independent claim 45. In addition, as suggested by the Examiner, the Applicant hereby amends independent claim 28 to recite “one or more tangible media comprising a computer program encoded thereon” to overcome the rejection under 35 U.S.C. § 101, thereby placing claims 28 and 29 in condition for allowance. Furthermore, the Applicant hereby amends independent claims 26, 32, and 35 to recite the allowable subject matter taken from claim 41 to expedite allowance of these claims as well. In view of the foregoing amendments and following remarks, Applicant respectfully stresses that all pending claims now recite allowable subject matter.

Claim Rejection under 35 U.S.C. § 101

In the Office Action, the Examiner rejected claims 28-31 under 35 U.S.C. § 101 as directed to non-statutory subject matter. The Applicant respectfully traverses this rejection. However, the Examiner suggested an amendment to overcome this rejection, and the Applicant hereby amends claim 28 in the manner suggested by the Examiner. As a result, the foregoing rejection is now moot.

Claim Objection

In the Office Action, the Examiner objected to claim 26 for reciting “component” rather than “field replaceable unit” in the final paragraph. As set forth above, the Applicant hereby amends claim 26 as suggested by the Examiner. Thus, the foregoing objection is now moot.

Claim Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-4, 6, 7, and 32-34 under U.S.C. § 102(e) as being anticipated by Mass et al. (U.S. Publication No. 20030135246). Applicant respectfully traverses this rejection. However, as set forth above, the Applicant hereby amends claims 1 and 32 to incorporate allowable subject matter to expedite allowance of the present application. For at least these reasons, among others, the Applicant respectfully requests withdrawal of the rejection under Section 102.

Rejection Under 35 U.S.C. § 103

The Examiner rejected claims 26, 27, 35-39, and 42-44 under 35 U.S.C. 103(a) as being unpatentable over Mass et al. in view of one or more secondary references. However, as set forth above, the Applicant hereby amends claim 26 and 25 to incorporate allowable subject matter to expedite allowance of the present application. For at least these reasons, among others, the Applicant respectfully requests withdrawal of the rejections under Section 103.

New Claim

As noted above, the Applicant also hereby adds new claim 45, which is an independent form of claim 1 and allowable claim 40. Thus, claim 45 is currently in condition for allowance.

Conclusion

Applicant respectfully submits that all pending claims should be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

Date: June 30, 2007

/Tait R. Swanson/
Tait R. Swanson
Registration No. 48,226
FLETCHER YODER
P.O. Box 692289
Houston, TX 77269-2289
(281) 970-4545